

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

LIZA YVONNE ROSALES,

Plaintiff,

v.

No. 21-cv-0842 MV-JHR

WNMCF, *et al*,

Defendants.

**ORDER TO CURE DEFICIENCIES**

This matter is before the Court on the Prisoner Civil Rights Complaint, filed August 26, 2021 (Doc. 1) (Complaint). The Complaint was ostensibly filed by two *pro se* Plaintiffs, Liza Yvonne Rosales and Amber Gail Gonzales. Rosales and Gonzales are incarcerated at the Western New Mexico Correctional Facility (WNMCF). However, only Rosales signed the Complaint. *See* Doc. 1 at 6. *Pro se* plaintiffs cannot prosecute a lawsuit on behalf of other individuals. As the Tenth Circuit explained, “the competence of a layman is clearly too limited to allow him [or her] to risk the rights of others.” *Fymbo v. State Farm Fire and Cas. Co.*, 213 F.3d 1320, 1321 (10th Cir. 2000) (quoting *Oxendine v. Williams*, 509 F.2d 1405, 1407 (4th Cir. 1975)); *Amaro v. Att'y Gen. for New Mexico*, 781 Fed. App'x 693, 695 (10th Cir. 2019) (affirming dismissal of class action habeas claims). Accordingly, the Court will limit its review to Rosales’ claims in the Complaint. Gonzales must file her own separate case if she seeks relief under 42 U.S.C. § 1983. The Clerk’s Office will mail Gonzales the appropriate forms to start that process.

In addition to the Complaint, Rosales filed a Motion to Proceed *In Forma Pauperis* (Doc. 2). The Court cannot rule on the Motion because it does not include a six-month inmate account statement, as required by 28 U.S.C. § 1915(b)(1). Within thirty (30) days of entry of this Order,

Rosales shall submit an inmate account statement reflecting transactions between February 26, 2021 and August 26, 2021. All filings must include the case number (21-cv-0842 MV-JHR). If Rosales fails to timely submit the inmate account statement, the Court will dismiss this action without further notice.

**IT IS ORDERED** that within thirty (30) days of entry of this Order, Plaintiff Liza Rosales must file an inmate account statement reflecting transactions between February 26, 2021 and August 26, 2021.

**IT IS FURTHER ORDERED** that the Court will limit its review to the claims filed by Plaintiff Liza Rosales, the only signatory to the Complaint. Amber Gonzales may file a separate civil rights action, if she seeks relief.

**IT IS FURTHER ORDERED** that the Clerk's Office shall send **Plaintiff Amber Gonzales** a form civil rights complaint and a form motion to proceed *in forma pauperis*.



---

UNITED STATES MAGISTRATE JUDGE